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January 4, 2016

**Via ECF**

The Honorable Frank Maas  
United States Magistrate Judge  
U.S. District Court for the Southern District  
of New York  
500 Pearl Street  
New York, NY 10007

Re: *Kriss et al. v. Bayrock Group et al.*  
**Civil Docket No: 10 Civ. 3959 (LGS) (FM)**

Dear Judge Maas:

Plaintiffs Jody Kriss and Michael Chu'di Ejekam write to request that your chambers schedule a pretrial conference pursuant to Federal Rule of Civil Procedure 16 in the above-captioned matter. Plaintiffs respectfully request that the conference be scheduled at the Court's earliest convenience, preferably for a date in mid-January.

At this time, all the defendants in the matter have either been served with the Second Amended Complaint or have waived such service. Executed Proofs of Service and Waivers of Service have been filed for all defendants except for Defendant Salvatore Lauria. Mr. Lauria's counsel, Michael Beys, has informed us that Mr. Lauria's Waiver of Service form will be filed within the next few days.

Plaintiffs seek a preliminary conference for several reasons. These include Plaintiffs' intention to move the Court to serve discovery requests upon, and to obtain discovery from, all defendants in the matter except Defendants Roberts & Holland LLP, Elliot Pisem and Mel Dogan as soon as possible; the briefing schedule for the defendants' forthcoming motions to dismiss; and possible ways of consolidating the briefing of certain issues raised in the forthcoming motions to minimize the total number of briefing pages submitted by the

SIMON & PARTNERS <sup>LLP</sup>

January 4, 2016  
The Honorable Frank Maas  
Chief Magistrate Judge  
Page 2

defendants.

Respectfully submitted,

/s/ J. Evan Shapiro  
J. Evan Shapiro  
Simon & Partners LLP

*Attorneys for Plaintiffs Jody Kriss  
and Michael Ch'udi Ejekam*